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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

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Water Rights Technical Support Fund

The 2005 Nevada State Legislature created the Water Rights Technical Support Fund to be administered by the Board for Financing Water Projects. Senate Bill 62 ([SB62](#)) designated the Water Rights Technical Support Fund to make grants to local governments for the following purposes:

- Obtain and provide expert and technical assistance to gather data to protect a local government's existing water rights; or
- Enhance or protect a local government's existing water rights.

SB62 specifies that grant money from the Water Rights Technical Support Fund must not be used to pay for any assistance if the only purpose of the assistance is to obtain evidence including technical evidence and oral testimony or to pay for expert witnesses or attorney's fees for any administrative or judicial proceeding including hearings before the State Engineer.

Staff has proposed the following procedure to implement this program.

1. Advertise availability of funds and solicit grant applications (August 2005).
2. Interested parties submit grant applications including information on how funds will be spent (September 30, 2005).
3. Staff reviews applications and makes recommendation to the Board (October 2005).
4. Board approves grant awards (early November 2005).
5. Funding Agreement executed (December 2005).
6. Grant recipient expends money and requests reimbursement (2006).
7. Grant recipient submits final report summarizing how funds were spent and explaining how water rights were protected.

Staff has noted the following questions and possible answers for the Board for Financing Water Projects to consider at their meeting to be held August 4, 2005, 9:30 am at the Legislative Building Room #2134, 401 South Carson St., Carson City, Nevada.

Who can apply?**Staff recommendation:**

1. Local government as defined in NRS 354.474.

What can funds be used for?**Legislative mandate:**

1. Obtain and provide expert and technical assistance to gather data to protect its existing water rights.
2. Enhance or protect a local government's existing water rights.

How will the available funds be allocated?**Staff recommendation:**

1. Solicit proposals from local governments in Nevada and divide a portion of the \$1,000,000 evenly between all eligible proposals submitted. Reserve a portion of the \$1,000,000 for unanticipated future proposals.

What should be the criteria for a project to qualify?**Possible considerations:**

1. Limit assistance to only those basins where a water rights application has been filed for an inter-basin transfer.
2. Limit assistance to expert and technical assistance to protect water rights and don't allow funds for administrative or judicial proceedings.
3. Restrict eligible grant applications based on population.
4. Groundwater only.

What will be the grant percent?**Staff recommendation:**

1. 85% - the highest percent allowed for water infrastructure projects and the percent currently used by the Board in funding Preliminary Engineering Reports.

If you have questions or comments related to the Water Rights Protection Fund, contact:

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